



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

2011-792
October 14, 2011

Secretary of State
Frankfort
Kentucky

RELATING TO THE ESTABLISHMENT OF THE KENTUCKY
ALL SCHEDULE PRESCRIPTION ELECTRONIC
REPORTING ADVISORY COUNCIL

WHEREAS, abuse, misuse, diversion and illegal sale of prescription drugs are some of the largest threats facing the safety and welfare of the citizens of Kentucky; and

WHEREAS, the Kentucky All Schedule Prescription Electronic Reporting System (KASPER) tracks reported controlled substance prescriptions dispensed within the state; and

WHEREAS, KASPER is a reporting system designed to be a source of information for practitioners and pharmacists, as well as an investigative tool for law enforcement; and

WHEREAS, the reporting component of KASPER was originally designed as a paper and fax based system, but in 2005 was converted to a Web-based version of KASPER to provide real time access to the data; and

WHEREAS, Kentucky was at the forefront in the development of prescription drug tracking system, creating a model that has been followed by other states; and

WHEREAS, it is of paramount importance to the safety and welfare of the citizens of Kentucky that the KASPER program continues to be a leading edge tool to assist health care practitioners, licensure agencies and law enforcement in the fight against prescription drug abuse and diversion:

NOW THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by KRS 12.029, do hereby Order and Direct the following:

1. There is hereby created and established the KASPER Advisory Council, (hereinafter referred to as "the Council"), which shall provide advice, guidance and recommendations to the agencies charged with responsibility under KRS Chapter 218A to monitor the prescribing and dispensing of controlled substances.
2. The Council shall consist of eleven (11) members appointed by the Governor as follows:
 - a. Four (4) physicians – one general practitioner, one specialist in pain medicine, one oncologist, and one psychiatrist – to be appointed from lists provided by the Kentucky Board of Medical Licensure containing the names of three retired or active physicians for each of the four areas of practice;
 - b. One (1) advanced practice registered nurse to be appointed from a list provided by the Kentucky Board of Nursing containing the names of three retired or active Advanced Practice Registered Nurses;

- c. One (1) substance abuse and mental health professional to be appointed from a list of three (3) retired or active practitioners provided by the Cabinet for Health and Family Services;
- d. One (1) community mental health center representative to be appointed from a list of three (3) provided by the Cabinet for Health and Family Services;
- e. Three (3) pharmacists to be appointed from a list provided by the Kentucky Board of Pharmacy containing the names of three active or retired pharmacists from each of the following general geographic areas in Kentucky: 1) the area west of Interstate 65; 2) the area east of Interstate 75; and 3) the area between Interstates 65 and 75.
- f. One (1) dentist to be appointed from a list of three (3) retired or active dentists provided by the Kentucky Board of Dentistry.

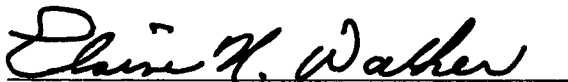
The lists of recommendations for appointment to the council shall be delivered to the Governor no later than October 24, 2011.

- 3. Members of the Council shall be appointed initially to staggered terms and thereafter to four (4) year terms. The Governor also shall appoint one (1) member to serve as Chair and one (1) member to serve as Vice Chair.
- 4. The duties of the Council shall include, but not be limited to, developing recommendations for guidelines that will enable the KASPER program to focus on potential problem areas and proactively generate information useful to the particular prescriber and dispenser licensing boards to assist the boards in expanding their enforcement activities of identifying and eliminating drug abuse, misuse, diversion and illegal prescription and sale of prescription drugs by their respective licensees.
- 5. The Council shall work in cooperation with the affected professional licensing boards of practitioners and pharmacists, law enforcement, substance abuse and mental health treatment professionals and other stakeholders. One (1) representative of the following shall serve as ex officio, non-voting members of the Council: Office of Attorney General, Kentucky Board of Medical Licensure, Kentucky Board of Pharmacists, Kentucky Board of Nursing, Kentucky State Police, Kentucky Office of Drug Control Policy, Kentucky Medical Association, Kentucky Coalition of Nurse Practitioners and Nurse Midwives, Kentucky Osteopathic Association, Kentucky Pharmacy Association, Kentucky Hospital Association, and the Kentucky Poison Control Collaborative.
- 6. The Council shall meet at regular intervals, and no less than quarterly for the first year of its existence, and at the call of the Chair.
- 7. Support staff, facilities, and resources for the meetings of the Council shall be provided as directed by the Secretary of the Cabinet for Health and Family Services.
- 8. Members of the Council shall serve at the pleasure of the Governor, without compensation, but shall be reimbursed for actual expenses incurred in the connection with the discharge of their official duties.
- 9. All cabinets, departments, commissions, boards, agencies, and officers of the state, or any political subdivision thereof, are hereby authorized and directed to cooperate with the Council in implementing the provisions of this Order.

10. This Executive Order shall be effective immediately upon its signing and shall remain in full force and effect until amended or rescinded by subsequent Executive Order.



STEVEN L. BESHEAR, GOVERNOR
Commonwealth of Kentucky



ELAINE N. WALKER
Secretary of State

RECEIVED AND FILED

DATE

10/14/11

ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY *R. Sales*